

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

NICOIS M. SMITH,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. CIV-14-323-C
	)	
THE STATE OF OKLAHOMA,	)	
	)	
Respondent.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a state detainee, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on April 16, 2014, and Petitioner has responded with a “Motion of Discovery” and “Probable Cause Affidavit,” identical but for their captions, which the Court will construe as timely-filed objections and consider the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned opinion of the Magistrate Judge. No point would be served in repeating that analysis. Petitioner does not specifically dispute either the factual recitation or the legal reasoning employed by the Magistrate Judge, but rather reasserts some apparently unrelated allegations of wrongdoing. There is no argument of fact or law set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, this petition for habeas corpus relief is dismissed without prejudice.

IT IS SO ORDERED this 14th day of May, 2014.



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ROBIN J. CAUTHRON

United States District Judge